

MANSFIELD TOWNSHIP COMMITTEE MEETING
November 26, 2019

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Salute to the flag was done by all.

PRESENTATION:

Scott from Blairstown Ambulance spoke to the township about refurbishing the aging rigs. A new chassis was placed on an old frame. They moved a rig from non-licensed to the licensed area of the State Department of Health. Non-licensed will be used for volunteers, licensed has certain State requirements – this enables two different companies in the same building to be able to ride. They are also going back to gas engines due to the lower cost of gas and repairs. The next rig purchased will be new costing approx. \$190,000. The rigs are kept for about 20 years. All rigs are professionally maintained, the squad does not work on them.

APPROVAL OF THE MINUTES:

Mr. Hayes made a motion to approve the November 13, 2019 Regular Session Minutes, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

Mrs. Mora Dillon made a motion to approve the November 13, 2019 Executive Session Minutes, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

BILL LIST:

Approval – Mr. Farino made a motion to approve the Bill List, which was seconded by Mrs. Mora

Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

CLERK'S REPORT:

Tree Recovery Grant – Ms. Hrebenak will be submitting an application for a Tree Recovery Grant and will see if the Green Team and Environmental Commission are interested in doing something after receiving trees for pickup.

Approval – Mr. Hayes made a motion to approve the Tree Recovery Grant application, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

Comcast Internet Essentials – Ms. Hrebenak also reported that Comcast sent information about Internet Essentials that offers internet accessibility and purchase of a desktop or laptop for a minimal fee to people who qualify for the school lunch program, receive public assistance, housing and Medicaid, SSI or others. Ms. Hrebenak asked for permission to post the information on the website. Permission granted.

St. Theodore Church Raffle – an application was received from the church for an off-site vacation raffle ticket. The drawing will be held on March 8, 2020, at 1 pm. All items are in order; a motion is requested for approval.

Approval – Mr. Hayes made a motion to approve the raffle application for St. Theodore's Church, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

Early Dismissal – Ms. Hrebenak requested permission for all Township employees to leave early tomorrow, Thanksgiving Eve. Typically early dismissals are the day before Thanksgiving, Christmas, and New Year's. Committee discussed dismissal times.

Approval – Mr. Hayes made a motion for dismissal at 1pm, which was seconded by Mrs. Mora

Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: Mr. Misertino

Abstain: None

FINANCE REPORT:

Green Team – Mrs. Mollineaux reported in Mrs. Fascenelli’s absence – asked if the Green Team Landscape Design Contest memo that the Committee received was acceptable for advertising. Mrs. Mora Dillon stated that it was.

CFO – Mrs. Mollineaux stated items to be addressed from the agenda:

- Stale Dated Checks – need to be cleaned up
- Ordinance 2019-09 – is a listing of titles and ranges where employee salaries will fall. This is not the Resolution listing specific people and their actual salaries. This needs to be done so salaries fall in line between those numbers.
- Contractual Item - Mrs. Mollineaux did not have a conversation in closed session about a contractual item and she needs an okay on that.
- Property from Tax Sale – she spoke with the Mayor and received an email from the collector; there are no previous liens. The Mayor stated it will be discussed in closed session.

PUBLIC PORTION:

Joe and Nick Toscano, Route 57 Auto Salvage, spoke about the violation that he has received. Mr. Lavery stated that Mr. Toscano would need to speak with Mr. Kastrud. Mr. Lavery will share the history of the case with the Zoning Officer.

Ryan Clancy, 12 Harding Drive representing Mansfield EMS, asked what the Township would like to see from them regarding rigs. Mayor Watters stated that the Township Committee is looking at options. Mr. Clancy reported on the condition of their current vehicles.

Mayor Watters asked if anyone else wanted to address the Public Portion of the meeting; seeing none, the Public Portion was closed.

EMPLOYEE REPORTS:

Mr. Snyder reported:

- Truck 7 – starter went out and caused other damage, repairs to be done.

- Pickup 10 – V box will be put on tomorrow.
- Sweeper – broke down today, blew two hydraulic lines on the hopper. It should be done tomorrow.
- Winterizing – all equipment is done and ready to go with the exception of Truck 7.
- Sweeping - most is done in the developments.
- Hot Boxes – the company will bring a machine next week. The DPW will test it on Valley Road by the bridge with cold pack and also millings to see how the machine operates.
- Snow fences – all are up with the exception of Allen Road – awaiting permission from Donaldson's. More snow fences in the budget for next year. Most are in good shape. Mr. Snyder will put \$5,000 into the budget for 2020 and will put more in the budget for the following year. Right now they don't have enough to do all of Allen Road, Airport Road, Washburn and Point Mountain. Snow fencing saves money with less plowing of drifts in the roads.
- New Mason Dump – Mr. Snyder and Mr. Farino looked at the new Mason Dump. Some things still have to be done on the truck and it should be here within 2 weeks.
- DPW Sign – the Kinney's donated a large plow that has been repainted and lettered to be used as a DPW sign.

RESOLUTIONS:

**RESOLUTION # 2019-159
OUTSIDE EMPLOYMENT OF OFF-DUTY POLICE
RESOLUTION AUTHORIZING CLOSURE OF AN ESCROW ACCOUNT WITH AN UNEXPENDED BALANCE
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, Volunteers Of Fatima issued checks on May 19, 2018 and May 2, 2019, for Outside Employment Of Off-Duty Police with the Township of Mansfield, County of Warren; and

WHEREAS, the checks were deposited and work was performed by the Mansfield Township Police Department; and

WHEREAS, there is no further service required; and

WHEREAS, a Purchase Order and several phone calls were made in an attempt to refund the balance remaining in the Escrow Account; and

WHEREAS, the Finance Department of the Township of Mansfield has indicated that a resolution should be adopted to officially close the account and transfer the unexpended balance to the Township's Current Fund as Miscellaneous Revenue Not Anticipated.

NOW THEREFORE BE IT RESOLVED, that the unexpended balance regarding the Escrow Account be transferred from the Escrow Account to the Township of Mansfield's Current Fund.

Account # T-24-55-289-0000-0000 Escrow Disbursement Account \$ 596.00

BE IT FURTHER RESOLVED, if in the future Volunteers Of Fatima request the refund, the Township of Mansfield will comply.

RESOLUTION 2019-160

A RESOLUTION AUTHORIZING THE PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE 2116-33-002-004 FROM RUBY TUESDAY, INC. TO NEW JERSEY CINEMA INVESTMENTS, LLC, D/B/A CINEPOLIS LUXURY CINEMAS

WHEREAS, an application has been filed for a Person-to-Person, Place-to-Place transfer of Plenary Retail Consumption License Number 2116-33-002-004, heretofore issued to Ruby Tuesday, Inc., 1885 Route, Hackettstown, NJ 07840;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield Committee does hereby approve, effective November 26, 2019, the transfer of the aforesaid Plenary Retail consumption License to New Jersey Cinema Investments, LLC, d/b/a Cinepolis Luxury Cinemas, formerly located at 1885 Route 57, Hackettstown, NJ 07840 to 1965 Route 57, Hackettstown, NJ 07840, within the Township of Mansfield, Warren County, New Jersey, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to New Jersey Cinema Investments, LLC, d/b/a Cinepolis Luxury Cinemas, located at 1965 Route 57, Hackettstown, NJ 07840, effective November 26, 2019.

TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY

RESOLUTION 2019-161

RESOLUTION ADOPTING A DOMESTIC VIOLENCE POLICY

WHEREAS, on or about October 15, 2019, the New Jersey Civil Service Commission issued a Statewide Domestic Violence Policy (DVP) for Public Employers, which is attached hereto; and

WHEREAS, pursuant to N.J.S.A. 11A:2-6a(b)(1), “The [Civil Service Commission] shall develop a uniform domestic violence policy, which all public employers shall adopt and distribute to their employees, regardless of whether a public employer is subject to the provisions of Title 11A, Civil Service, of the New Jersey Statutes;” and

WHEREAS, the Township of Mansfield seeks to update its Personnel Policies and Procedures Manual to comply with N.J.S.A. 11A:2-6a(b)(1).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Mansfield, in the County of Warren, that the Township of Mansfield Policies and Procedures Manual is updated as follows:

- The Statewide DVP (which is attached hereto) shall be referenced and adopted in the Township of Mansfield Personnel Policies and Procedures Manual.
- The Township of Mansfield Personnel Policies and Procedures Manual shall designate Chief Michael Reilly and Township's Personnel Liaison as primary and secondary Human Resources Officer (HRO) for purposes of the DVP.
- The Table of Contents shall be updated to reflect the inclusion of the Township's adoption of the Statewide DVP.

BE IT FURTHER RESOLVED that a copy of the updated Township of Mansfield Personnel Policies and Procedures Manual is on file with the Clerk's Office; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Township Clerk for distribution to all Township employees.

2019-162

Resolution Calling for Study Commission to Review the Open Public Records Act

WHEREAS, the Township of Mansfield strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, Township of Mansfield has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, Township of Mansfield received and responded to 87 OPRA requests in 2017, 89 OPRA requests in 2018, and to date has received and responded to 57 OPRA requests as of September 1, 2019; and

WHEREAS, Township of Mansfield municipal staff has spent approximately 30 hours responding to OPRA requests received in 2019 to date, and a yearly average of approximately 80 hours since 2017; and

WHEREAS, due to the often conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA request, the Township of Mansfield must often times rely on the municipal attorney to review certain OPRA requests, resulting in additional fees of approximately \$250.00 in response to OPRA requests in 2017, \$250.00 in response to OPRA requests in 2018, and currently has spent \$337.00 in response to OPRA requests in 2019; and

WHEREAS, requests have ranged from easily accessible meeting audio copies to Engineering files from 20 to 25 years ago; and

WHEREAS, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

NOW, THEREFORE BE IT RESOLVED that the governing body of Township of Mansfield appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Assemblyman John DiMao, Assemblyman Erik Peterson, Senator Michael Doherty, Assembly Speaker Craig

Coughlin, Senate President Stephen Sweeney, Senator Weinberg, the Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

RESOLUTION NO. 2019 - 163
A RESOLUTION AUTHORIZING THE CANCELLATION OF A STALE DATED CHECKS FOR THE
TOWNSHIP OF MANSFIELD, COUNTY OF WARREN,
STATE OF NEW JERSEY

WHEREAS, checks issued by the Township of Mansfield for more than a year ago, more particularly set out below as the Check Date, Check Number, and Amount, have never been presented for payment; and

WHEREAS, these outstanding checks, cause additional work and expense in keeping the books of Mansfield Township;

NOW, THEREFORE BE IT RESOLVED, by the Township of Mansfield Committee that the Finance Department is authorized to cancel the following stale dated checks and to adjust the financial records to reflect the same.

	DATE	CHECK #	AMOUNT
Recreation Trust	12/14/16	1123	\$60.00
Recreation Trust	4/26/17	1170	\$35.00
Recreation Trust	12/13/17	1249	\$135.00
		TOTAL	\$ 230.00

2019-164
FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Mansfield County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community;

and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Township of Mansfield, County of Warren, State of New Jersey hereby recognizes the following:

- The Township Council does hereby authorize submission of a strategic plan for the Franklin/Mansfield/Washington Boro Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$5,936.00
Cash Match	\$1,484.00
In-Kind	\$4,452.00
- The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION NO. 2019-165
OF THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF MANSFIELD**

AUTHORIZING RECEIPT OF SURPLUS PROPERTY

WHEREAS, the Borough of Bloomingdale has basketball backboards that the borough is no longer in need of; and

WHEREAS, the equipment was advertised for public auction and no bids were received; and

WHEREAS, the Borough of Bloomingdale wishes to dispose of the equipment and donate it to the Township of Mansfield, at no cost, for its recreational use;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Mansfield, in the County of Warren and State of New Jersey, that the Superintendent of the Department of Public Works accept the basketball backboards and thank the Borough of Bloomingdale for the donation.

Approval – Mr. Hayes made a motion to approve Resolutions 2019-159 – 165, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: None
Absent: Mr. Misertino
Abstain: None

ORDINANCE:

First Reading

ORDINANCE # 2019 –09

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARIES AND WAGES FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MANSFIELD AND THE METHOD OF PAYMENT OF SUCH SALARIES AND

BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

SECTION 1, The salaries per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined to be as follows:

Committee Members	\$ 3,000	\$ 4,950
Mayor	\$ 300	\$ 660
Deputy Mayor	\$ 270	\$ 330
Insurance Fund Commissioner	\$ 1,350	\$ 1,650
Municipal Clerk	\$ 46,250	\$ 75,000
Municipal Clerk Stipend	\$ 500	\$ 2,000
Elections Officer	\$ 150 / election	\$ 500 / election
Website Administrator	\$ 1,350	\$ 2,000
Deputy Clerk	\$ 21,000	\$ 55,000
Deputy Clerk	\$ 14 / hr	\$ 18 / hr
Depart. Of Health Deputy Registrar	\$ 21,000	\$ 35,655
Depart. Of Health Deputy Registrar	\$ 14 / hr	\$ 18 / hr
Chief Financial Officer	\$ 40,000	\$ 90,000
Acting Chief Financial Officer	\$ 9,000	\$ 65,000

Deputy Treasurer	\$ 9,000	\$ 20,000
Deputy Treasurer Stipend	\$ 500	\$ 5,000
Certified Tax Collector	\$ 10,000	\$ 35,000
Deputy Tax Collector	\$ 27,000	\$ 40,000
Alternate Deputy Tax Collector	\$ 1,000	\$ 2,750
Tax/Finance Clerk	\$ 16,216	\$ 19,820
Tax Search Officer	\$ 900	\$ 1,100
Tax Assessor	\$ 19,800	\$ 26,000
Certified Lists (Tax Assessor)	\$ 560	\$ 685
Assessment Search Officer	\$ 900	\$ 1,100
Tax Assessor Secretary	\$ 4,688	\$ 5,705
Municipal Housing Liaison	\$ 6,000	\$ 8,000
Open Space / Historical Secretary	\$ 233	\$ 400
Environmental Secretary	\$ 840	\$ 1,500
Land Use Board Secretary	\$ 10,000	\$ 18,000
Land Use Board Secretary (Shared Service)	\$ 3,000	\$ 7,000
Court Appearance by Zoning Officer	\$ 75 / appearance	\$ 75 / appearance
Police Chief	\$ 90,000	\$155,000
Police Secretary	\$ 22,000	\$ 46,000
Police Secretary (Temp or Part-Time)	\$ 14 / hr	\$ 17 / hr
Patrolmen	\$ 40,000	\$125,000
Sergeant	\$ 86,140	\$135,000
Lieutenant	\$ 88,494	\$145,000
Police Officer (Temp/Part-Time)	\$ 13.50 / hr	\$ 17 / hr
Detective Stipend	\$ 1,000	\$ 2,000

Corporal Stipend	\$ 1,000	\$ 2,000
EMT Stipend	\$ 1,000	\$ 2,200
K-9 Officer Stipend	\$ 1,000	\$ 2,000
Director Emergency Management	\$ 2,334	\$ 3,000
Deputy Emergency Mgt. Director	\$ 500	\$ 700
DPW Superintendent	\$ 62,546	\$ 90,000
Machine Operator	\$ 30,000	\$ 65,000
Mechanic/Laborer	\$ 30,000	\$ 65,000
Part-Time Laborer/Snow Plow Driver	\$ 10 / hr	\$ 25 / hr.
Part-Time Laborer/Snow Plow Driver with CDL	\$ 10 / hr	\$ 30 / hr.
DPW Secretary	\$ 14 / hr	\$ 17 / hr
Certified Recycling Professional	\$ 2,000	\$ 2,500
Recycling Attendant	\$ 30 / hr	\$ 55 / hr
Clean Communities Coordinator	\$ 1,300	\$ 4,000
Judge	\$ 33,817	\$ 99,500
Court Administrator	\$ 43,479	\$ 85,600
Deputy Court Administrator	\$ 25,000	\$ 70,000
Part-Time Violations Clerk	\$ 11 / hr	\$ 21 / hr
Temporary Violations Clerk	\$ 11 / hr	\$ 15 / hr
Call-Outs	\$ 50 / each	\$ 60 / hr
Court Security	\$ 75 / session	\$ 165 / session
Bonus	\$ 50	\$ 3,000

Mr. Hayes made a motion to approve the introduction of Ordinance 2019-09 and requested that the second reading be held on December 23, 2019, at 7:30 pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters
Nays: None
Absent: None
Abstain: None

EXECUTIVE SESSION:

Mr. Hayes made a motion to move into Executive Session, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters
Nays: None
Absent: Mr. Misertino
Abstain: None

Return from Executive Session

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Mr. Lavery stated the emergence from Executive Session at 8:37 pm where four matters were discussed:

- Contractual Matter
- Payroll Company
- Personnel and DPW
- Contractual Matter dealing with Butler Park
- Personnel Matter dealing with OEM

No official action was taken in Executive Session. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Lavery requested a motion to remove two properties from the Tax Sale List – Block 2613, Lot 1.02 and Block 2614, Lot 9.

Approval – Mr. Hayes made a motion to remove the two properties, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters
Nays: None
Absent: Mr. Misertino
Abstain: None

NEW BUSINESS:

- Green Acres - Mayor Watters stated we still don't know how much was paid for the property on Rockport Road. Ms. Hrebenak will submit an OPRA Request for the information. Mrs. Mora Dillon suggested that a letter should be written and sent out Monday.
- Janes Chapel Road Grant – Mayor Watters received an email from Mr. Kastrud regarding the approval of a grant of \$112,500. That makes two grants – the other for Airport Road – that have to be matched for next year's budget.

Mr. Hayes made a motion to adjourn at 8:41 pm, which was seconded by Mrs. Mora Dillon